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# Fax

**To:** Commissioner for Patents  
c/o Examiner Louise Z. Wang  
Art Unit 1648

**From:** Bruce Grant  
Registration No. 47,608

**Fax:** (571) 273-8300

**Date:** February 6, 2006

**Phone:** (571) 272-5543

**Pages:** 11 (including cover page)

**Re:** Appln. No. 10/729,069

**CC:**

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply

**Comments:**

Please process the attached Amendment and Response. This filing includes the following papers:

1. Transmittal with Certificate of Mailing or Transmission (1 page)
2. Amendment and Response Under 37 CFR 1.111 (9 pages)

Respectfully submitted,

Bruce Grant  
Registration No. 47,608

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/729,069
Filing Date	December 4, 2003
First Named Inventor	Carsten MUENK
Art Unit	1848
Examiner Name	Louise Z. Wang
Attorney Docket Number	SLK-2016-UT

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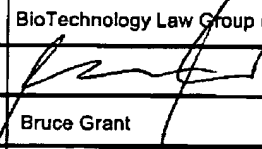
Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
|---|--|--|

Remarks

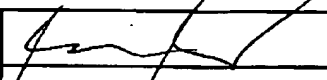
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	BioTechnology Law Group (Customer No. 35938)
Signature	
Printed name	Bruce Grant
Date	February 6, 2006

Reg. No. 47,608

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Bruce Grant
Date	February 6, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re the Application of:

Carsten MUENK *et al.*

Appln. No.: 10/729,069

Filed: December 4, 2003

For: ALPHA-COMPLEMENTATION VIRAL  
FUSION ASSAY

Examiner: Louise Z. Wang

Art Unit: 1648

Confirmation No. 9175

AMENDMENT AND RESPONSE UNDER 37 CFR 1.111Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is filed in response to a non-final Office action dated November 10, 2005, setting a shortened statutory time for response expiring on February 10, 2006. This submission is timely filed before February 10, 2006 and therefore no fee is due. The Office rejected claims 1, 2, 4-6 and 9-14 in the Office action. Careful consideration has been given to the grounds for rejection and the following Remarks are offered in response. Reconsideration respectfully is requested.

CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 CFR 1.8

I hereby certify that this paper (along with anything referred to as being attached) is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage via first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Bruce Grant

Date

February 6, 2006